

Josiah Ferreebee
1371 North Washington Avenue
Scranton, Pennsylvania 18509

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

.....
FILED
UNITED STATES OF AMERICA SCRANTON
.....

-VS-

FEB 21 2017

3:16-CR-152

JOSHIAH FERREBEE

PER Amo
DEPUTY CLERK

.....
PRO SE MOTION TO DISMISS INDICTMENT
.....

TO THE HONORABLE JUDGE JAMES MUNLEY:

AND NOW comes the Defendant, Josiah Ferreebee, on this day of 16 in the month of
February, 20 17 who respectfully sets forth his motion to dismiss indictment and avers as
follows:

1. On June 03, 2016, the Defendant was arrested and charged with Title 18, United States Code, Section 2251 (a) and (e) and Title 18, United States Code, Section 2422 (b).
2. The Defendant had a Detention Hearing on December 6, 2016, requesting house arrest which was denied under Magistrate Judge Joseph F. Saporito Jr.
3. On November 01, 2016, the Defendant's attorney, Christopher Osborne, requested from the Government a discovery of evidence stating that the counsel for the Defendant has yet to receive any discovery from the United States attorney.
4. Again on November 30, 2016, the Defendant's attorney again requested the discovery from the Government.
5. On January 26, 2017, the Defendant requested *Pro Se* his discovery from the Government.
6. On February 08, 2017, the Defendant's attorney again requested the discovery from the Government stating to "please provide me with all discovery...as per my requests in the

past dated November 1, 2016 and November 30, 2016 as soon as possible."

7. On this day of 16 in the month of February in the year 2017, the Defendant has yet to receive any discovery as requested from the United States attorney.
8. The Defendant is respectfully requesting that his indictment be dismissed on grounds of Fed.Crim.P.16 - Discovery and Inspection - bad-faith on grounds of the United States attorney.
9. On grounds of counsel for the Defendant failed to file a pre-trial writ Habeas Corpus. Counsel obtained no discovery or exculpatory evidence as requested by the Defendant that was available and was the Defendant's absolute right under Brady v. Maryland said evidence would have entitled the Defendant to a Habeas Corpus relief. Counsel allowed and supported the court in denying the Defendant this right to A.) Obtain exculpatory evidence and B.) use it to get relief either in a Habeas Corpus proceeding, or a suppression hearing contradicting and attacking probable cause or prima facie requirements violating the Defendant's Constitutional Rights, due process 4th, 6th, 8th, and 14th Amendments of the United States Constitution and the Federal Codes of Criminal Procedure Rule 16 - Discovery Inspection.

WHEREFORE, it is respectfully requested that this Honorable Court grant this MOTION FOR DISMISSAL OF INDICTMENT and any other relief under Federal Codes of Criminal Procedures.

Respectfully Submitted,



Josiah Ferrebee

UNITED STATES OF AMERICA :

-VS- :

3:16-CR-152

JOSIAH FERREBEE :

CERTIFICATE OF SERVICE

I, Josiah Ferrebee, Defendant, hereby affirm that I did serve a true and correct
copies of *PRO SE MOTION TO DISMISS INDICTMENT* to the following persons in the matter stated:

Francis Sempa, Esq
U.S. Attorney's Office
William J. Nealon Federal Building
P.O. Box 309
235 North Washington Avenue
Scranton, Pennsylvania 18501

First class U.S. mail, postage prepaid, on 2/16/17.

Federal Office of the Clerks
William J. Nealon Federal Building
P.O. Box 309
235 North Washington Avenue
Scranton, Pennsylvania 18501

First class U.S. mail, postage prepaid, on 2/16/17.

Honorable Judge James Munley
Judge's Chambers
William J. Nealon Federal Building
P.O. Box 309
235 North Washington Avenue
Scranton, Pennsylvania 18501

First class U.S. mail, postage prepaid, on 2/16/17.

Respectfully Submitted,


Josiah Ferrebee

To Whom It May Concern,

Thursday, Feb 16, 2017

Enclosed are a certificate of service and a pre-trial motion. Please file both documents. Your time and effort is greatly appreciated. Please also send to me all documents that your office has filed.

Respectfully Submitted,

Joshua Ferrebee
3:16-CR-152



Lehigh Valley FPOC PA 18001
FRI 17 FEB 2017 PM

RECEIVED
SCRANTON

FEB 21 2017

PER  DEPUTY CLERK

Shan Perrebet
Lawrence County Prison
North Washington Ave
Scranton, PA 18509

Federal Clerks Office
William J. Nealon Fed. Bldg.
235 No Washington Ave
Scranton, PA 18501

